

# About Rulemaking: the MTCA/SMS Rule Update

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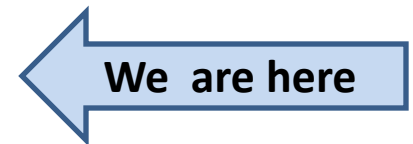
# Steps in the Process

- ✓ **Agency announces rule making effort**  
CR-101 – Feb 2009
  
- ❑ **Agency offers the draft for public comment**  
CR-102 – anticipated Fall 2010
  
- ❑ **Agency adopts the new rule**  
CR-103 – anticipated Spring 2011

# What happens between the steps?

- Agency announces start of rule making effort  
CR-101 – Feb 2009

**Analysis, drafting,  
rulemaking requirements**



- Agency offers the draft for public comment  
CR-102 – anticipated Fall 2010

**Time limitations**

- Agency adopts the new rule  
CR-103 – anticipated Spring 2011

# Statutory Requirements

- State Environmental Policy Act
  - Environmental Analysis
- Administrative Procedures Act
  - Cost Benefit Analysis
  - Least Burdensome Alternative
- Regulatory Fairness Act
  - Small Business Economic Impact Statement

# Steps in the Process - detail

- ✓ Scoping and early feedback
- ✓ **Agency announces rule making effort (CR-101) Feb 2009**
  - Agency begins work to produce a draft
  - We want input & feedback while we produce the draft
  - ☐ Economic analyses
  - ☐ Environmental analyses
- ☐ **Agency offers the draft for public comment (CR-102) Fall 2010**
  - 180 days clock starts
  - Formal public comment period
  - Agency prepares responsiveness summary (aka concise explanatory statement) responding to public comments
  - Agency prepares implementation plan
- ☐ **Agency adopts the new rule (CR-103) Spring 2011**

**Where do these committees fit in?**